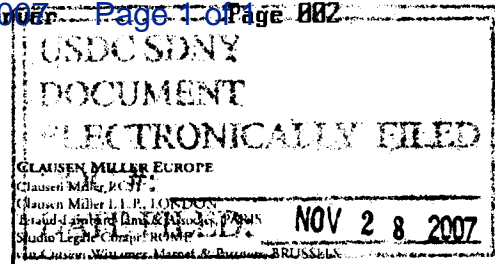


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November 27, 2007

VIA FACSIMILE

Hon. Laura T. Swain
United States District Judge
Southern District of New York
500 Pearl Street, Room 755
New York, New York 10007

NOT TO BE ENDORSED

IT IS ORDERED that counsel to whom this Memo
Endorsement is sent is responsible for faxing or
otherwise delivering promptly a copy to all counsel
and unrepresented parties and filing a certificate of
such service within 5 days from the date hereof. Do
not affix such certification to Chambers.

Re: National Union Fire Insurance Company of
Pittsburgh, PA a/s/o American Stock Exchange,
LLC v. Bin H. Chen

Index No.: 07 CIV 6715 (LTS) (HBP)

Our File No.: 35-9518-00-8

Dear Judge Swain:

The undersigned represents the Plaintiff in the above referenced matter.

I was advised by Mr. Tyler Freedman of your chambers that due to the failure of the parties
to submit a joint Preliminary Pre-Trial Statement seven (7) days prior to the November 30, 2006 pre-
trial conference, the conference must be adjourned. Unfortunately, for reasons which have yet to be
determined, my office did not receive notification of the Conference or your Honor's Order of
August 31, 2007.

Based on the foregoing, the undersigned respectfully requests that the pre-trial conference in
the above referenced matter be adjourned. After consult with counsel for Defendant Bin H. Chen, it
has been determined that all counsel are available to appear on **Friday, January 18, 2008 at 11:00
a.m.** Please advise if the above date and time are acceptable to this Court.

I apologize for any inconvenience or delay which may have been caused. Thank you for
your consideration of the above request.

*The requested adjournment
is granted.*

Very truly yours,

CLAUSEN MILLER, P.C.

By:

Joseph W. Szalyga

SO ORDERED.

JWS:ng *[Signature]* 11/28/2007
LAURA TAYLOR SWAIN
UNITED STATES DISTRICT JUDGE

*faxed to PIA Counsel
Copies mailed 11-28-07
Chambers of Judge Swain*

MICROFILMED

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